

Docket No.: IA 1501.01A US
USSN: 10/003,704

PATENT
Art Unit: 2195

REMARKS

Claims 1-18 are pending in the present application.

This Amendment is in response to the Office Action mailed May 4, 2005. In the Office Action, the Examiner objected to the abstract, objected to the line numbering of the claims, rejected claims 2-9 and 11-18 under 35 U.S.C. § 112, second paragraph, and claims 1-18 under 35 U.S.C. § 103(a).

Applicant has amended claims 2, 6, 7, 11, and 15. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Applicant kindly requests that the Examiner sign and initial a copy of the Form PTO-1449 as filed on 06/19/2003. A copy of the return, date-stamped postcard is also submitted. Applicant further requests that a signed and initialed copy of the PTO-1449 form be returned to Applicant's mailing address to complete Applicant's records.

I. CLAIMS LINE NUMBERING

In the Office Action, the examiner objected to the line numbers in the claims and that they do not correspond to the preferred format. In particular, the Examiner stated that the preferred format is to number each line for every claim, with each claim beginning with line 1. In response, Applicant has amended the line numbers in the claims wherein every claim includes line numbers and the each claim beginning with line 1. The objection is now moot. Therefore, Applicant respectfully requests the objection to the line numbering of claims be withdrawn.

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II. REJECTION UNDER 35 U.S.C. § 112

The Examiner rejected claims 2-9 and 11-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicants regard as the invention. In response, Applicant has amended the claims accordingly. The rejection is now moot. Therefore, Applicant respectfully requests the rejection be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 1-18 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,974,197 issued to Blount, et al. ("Blount"). Applicant respectfully traverses the rejections for the following reasons.

As stated by the Examiner "Blount does not explicitly teach that replication facility host communication coupled to the job control host. However, Blount teaches control task control blocks controls the writing of information such as data objects, which is transferred from host processor." The Examiner further stated "because Blount's control task control blocks controls the writing of information such as data objects, which is transferred from host processor would increase the flexibility of Bount's system by providing steps replication facility hosts communicatively coupled to the job control host to increase efficiency of the information handling system to which the host process and the peripheral device belong. "

Blount discloses a control task control blocks that controls the writing of information such as data objects, to an optical device. Blount further discloses a plurality of control task control blocks each with similarly anchored linked list of

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chain headers and with attached object chains. A host processor writes to a disk the information contained in the linked list associated with the object buffers sequence the transfer of data from the buffers into a device. The control task control blocks in Blount, however, is not the same as the replication facility host as in the claimed invention. The principal task of the replication facility host is to keep track of jobs currently under production and assigning new production batches to each writer as batch requests are received from a job control host. Blount discloses nothing more than a well-known program management system. Unlike the replication facility host, the control task control blocks does not disclose assigning new production batches to each writer as batch requests are received from a job control host.

Blount taken alone or in any combination, do not disclose, suggest, or render obvious a replication facility host that assigns new production batches to each writer as batch request are received from the job control host. This aspect of the invention is supported in the specification on page 22 (lines 18-20).

Therefore, Applicant believes that independent claims 1, 10 and their respective dependent claims are distinguishable over the cited prior art reference. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

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CONCLUSION


In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

DISCOVISION ASSOCIATES

Dated: August 3, 2005



Caroline Do, Esq.
Reg. No. 47,529

DISCOVISION ASSOCIATES
INTELLECTUAL PROPERTY DEVELOPMENT
P. O. BOX 19616
IRVINE, CA 92623
(949) 660-5000

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